

FULBRIGHT & JAWORSKI L.L.P.

A REGISTERED LIMITED LIABILITY PARTNERSHIP
600 CONGRESS AVENUE, SUITE 2400
AUSTIN, TEXAS 78701

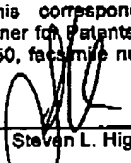
RECEIVED
CENTRAL FAX CENTER
APR 06 2006

TELEPHONE: 512/474-5201

FACSIMILE: 512/536-4598

FACSIMILE TRANSMISSION FROM: 512.536.4598
If any difficulties occur during transmission, 512.474.5201

DATE: April 6, 2006**FILE:** UTSC:652US
10109288**TO:** Mail Stop**COMPANY:** United States Patent and Trademark Office**FAX NO.:** 571-273-8300**FROM:** Steven L. Highlander**SENDER'S
PHONE:** (512) 536-3184**RETURN
ORIGINAL TO:** Christopher Jackson**FLOOR:** 20th**NO. OF PAGES:** 5**ORIGINAL: WILL NOT FOLLOW****COMMENTS: DECLARATION UNDER 37 C.F.R. § 1.132**

CERTIFICATE OF FACSIMILE TRANSMISSION 37 C.F.R. § 1.8	
I hereby certify that this correspondence is being transmitted to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, facsimile number (571) 273-8300 on the date below.	
April 6, 2006 Date	 Steven L. Highlander

CONFIDENTIALITY NOTICE: Unless otherwise indicated or obvious from the nature of the transmittal, the information contained in this facsimile message is attorney privileged and confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender by telephone and return the original message to Fulbright & Jaworski L.L.P. at the above address via the U.S. Postal Service at our expense.

25596825.1


HOUSTON • NEW YORK • WASHINGTON DC • AUSTIN • DALLAS • LOS ANGELES • MINNEAPOLIS • SAN ANTONIO
DUBAI • HONG KONG • LONDON • MUNICH • RIYADH

PTO/SB/21 (09-04) MODIFIED

TRANSMITTAL FORM	Application Number:	09/998,009
	Filing Date:	November 28, 2001
	First Named Inventor:	Marina Konopleva et al.
	Art Unit:	1635
	Examiner Name:	R. Cook
Total Number of Pages in this Submission : _____		Attorney Docket Number: UTSC:652US
ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> References _____ <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts/Requirements <input type="checkbox"/> Declaration(s) _____ <input type="checkbox"/> Copy of Notice of Missing Parts/Requirements	<input type="checkbox"/> Drawings(s) _____ <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Statement under 37 CFR §3.73(b) <input type="checkbox"/> Designation of Patent Practitioners <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below) <input type="checkbox"/> Check in the amount of \$ <input checked="" type="checkbox"/> Authorized to be charged to deposit account if check insufficient or inadvertently omitted Deposit account number: 50-1212/UTSC:652US/SLH. <input type="checkbox"/> Sequence Statement <input type="checkbox"/> Paper Copy of Sequence Listing <input type="checkbox"/> Computer Readable Form (CRF) <input checked="" type="checkbox"/> Postcard <input checked="" type="checkbox"/> Declaration Under 37 C.F.R. § 1.132
Remarks: If the check is inadvertently omitted or additional fees under 37 C.F.R. §§ 1.16 to 1.21 are required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct said fees from Fulbright & Jaworski L.L.P. Account No.: 50-1212/OMRF:652US/SLH.		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Fulbright & Jaworski L.L.P.	Customer Number 32425
Signature		
Printed Name	Steven L. Highlander	Reg. No. 37,642
Date	April 6, 2006	

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or Printed Name	Steven L. Highlander	Date	April 6, 2006

RECEIVED
CENTRAL FAX CENTER
APR 06 2006

CERTIFICATE OF FACSIMILE TRANSMISSION 37 C.F.R. § 1.8	
I hereby certify that this correspondence is being transmitted to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, facsimile number (571) 273-8300 on the date below:	
April 6, 2006 Date	 Steven L. Highlander

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Marina Konopleva *et al.*

Serial No.: 09/998,009

Filed: November 28, 2001

For: CDDO-COMPOUNDS AND
COMBINATION THERAPIES THEREOF

Group Art Unit: 1635

Examiner: R. Cook

Atty. Dkt. No.: UTSC:652US/SLH

DECLARATION UNDER 37 C.F.R. §1.132

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

We, the undersigned, do declare that:

1. We are the named inventors of the above-captioned application.
2. We are the authors of Konopleva *et al.*, *Blood* 96(11) Part 1, pp.121a, 2000. Also listed as authors on that abstract were Irina Stiouf, Zeev Estrov, Twee Tsao, David Harris, Mark Munsell, Clinton Leysath, Shourong Zhao, Ellen C. Jackson, and Shi-rong Chang.

3. The contributions for each of these individuals is set forth below:

Irina Stiouf was a post-doctoral fellow who developed several flow cytometry assays utilized in this study by the inventors.

Zeev Estrov was a co-director of the tissue culture core in the AML-PO1 grant who directed clonogenic assays upon request of the inventors.

Twhee Tsao was a technical assistant (Senior Research Assistant in Dr. Andreeff's laboratory) who performed protein analysis as directed by the inventors.

David Harris was a technical assistant (Research Assistant in Dr. Estrov's laboratory) who performed clonogenic assays as directed by the inventors.

Mark Munsell provided statistical analysis for publication.

Clinton Leysath was a technical assistant (Research Assistant in Dr. Andreeff's laboratory) who conducted tissue culture and flow cytometry experiments under supervision of the inventors.

Shourong Zhao was an instructor who provided expertise in Western blot analysis and PCR.

Ellen C. Jackson was a Research Nurse who provided clinical information about AML samples were used.

Shi-rong Chang was a technical assistant (Research Assistant in Dr. Andreeff's laboratory) who validated conditions for Western blot analysis of several proteins utilized by the inventors in the current study.

4. Thus, these individuals did not contribute conceptually to the subject matter of the above-captioned application, and thus were properly not listed as inventors thereon.

5. We hereby declare that all statements made herein of our knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date

3/28/06
Date

Marina Konopleva, MD, PhD

Michael B. Sporn, MD
Michael Sporn, MD

Date

Michael Andreeff, MD, PhD